



4410-15

## NOTICE

### DEPARTMENT OF JUSTICE

#### Notice of Lodging of Proposed Consent Decree under the Comprehensive Environmental Response, Compensation, and Liability Act

On October 28, 2014, the Department of Justice lodged a proposed Consent Decree with the United States District Court for the District of Connecticut in the lawsuit entitled *United States v. City of Derby, Connecticut*, Civil Action No. 3:14-cv-01594-WWE.

The United States filed this lawsuit under the Comprehensive Environmental Response, Compensation, and Liability Act, 42 U.S.C. § 9601, *et seq.*, seeking to recover costs incurred in performing a removal action at the O'Sullivan's Island Superfund Site in the City of Derby, Connecticut. Under the proposed ability-to-pay Consent Decree, the City will pay \$675,000.00 to EPA. The United States covenants not to sue the City under Section 107 of CERCLA to recover past response costs.

The publication of this notice opens a period for public comment on the proposed Consent Decree. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division and should refer to *United States v. City of Derby, Connecticut*, D.J. Ref. No. 90-11-3-10354. All comments must be submitted no later than thirty (30) days after the publication date of this notice. Comments may be submitted either by e-mail or by mail:

<i>To submit comments:</i>	<i>Send them to:</i>
By e-mail	<a href="mailto:pubcomment-ees.enrd@usdoj.gov">pubcomment-ees.enrd@usdoj.gov</a> .

By mail	Assistant Attorney General U.S. DOJ – ENRD P.O. Box 7611 Washington, D.C. 20044-7611.
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During the public comment period, the Consent Decree may be examined and downloaded at this Justice Department website:  
[http://www.usdoj.gov/enrd/Consent\\_Decrees.html](http://www.usdoj.gov/enrd/Consent_Decrees.html). We will provide a paper copy of the Consent Decree upon written request and payment of reproduction costs. Please mail your request and payment to:

Consent Decree Library  
U.S. DOJ – ENRD  
P.O. Box 7611  
Washington, D.C. 20044-7611.

Please enclose a check or money order for \$6.00 (25 cents per page reproduction cost) payable to the United States Treasury.

Robert E. Maher Jr.  
Assistant Section Chief  
Environmental Enforcement Section  
Environment and Natural Resources Division

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